

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LANCIUM LLC,

Plaintiff,

v.

U.S. DATA MINING GROUP, INC.
(D/B/A US BITCOIN),
U.S. MINING INFRASTRUCTURE
OPERATIONS, LLC, and
U.S. DATA KING MOUNTAIN LLC,

Defendants.

Case No. 6:23-cv-00344-KC

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
UNDER FED. R. CIV. P. 41**

Plaintiff Lancium LLC hereby voluntarily dismisses the above action against Defendants U.S. Data Mining Group, Inc. (d/b/a US Bitcoin), U.S. Mining Infrastructure Operations, LLC, and U.S. Data King Mountain LLC (collectively, “Defendants”), without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). None of the Defendants have answered or filed a motion for summary judgment.

Although Plaintiff has been engaged in good faith negotiations with Defendants regarding resolution of this matter since first requesting a stay, the timing of these negotiations have been impacted by conditions affecting Defendants and outside of Plaintiff’s control and have not yet reached conclusion. As such, Plaintiff makes this dismissal without prejudice in good faith to avoid wasting the Court’s and the parties’ resources while the parties continue negotiations regarding final resolution of their dispute.

Dated: January 12, 2024

Respectfully submitted,

/s/ Mark C. Nelson

Francisco J. Ortega
Texas Bar No. 24060365
SCOTTHULSE, P.C.
One San Jacinto Plaza
201 E. Main Drive, Suite 1100
El Paso, TX 79901
Telephone: (915) 546-8245
Fax: (915) 546-8333
Email: fort@scotthulse.com

Jeff H. Ray
Texas Bar No. 16604400
Marisa Y. Ybarra-Williams
Texas Bar No. 24067360
RAY PEÑA McCHRISTIAN
5822 Cromo Drive, Suite 400
El Paso, TX 79912
Telephone: (915) 832-7200
Fax: (915) 832-7333
Email: jray@raylaw.com
Email: mybarra-williams@raylaw.com

Mark C. Nelson
Texas Bar No. 00794361
BARNES & THORNBURG LLP
2121 North Pearl Street, Ste. 700
Dallas, TX 75201
Telephone: (214) 258-4200
Fax: (214) 258-4199
Email: mark.nelson@btlaw.com

Adam M. Kaufmann (admitted *pro hac vice*)
BARNES & THORNBURG LLP
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Telephone: (312) 214-8319
Fax: (312) 759-5646
Email: adam.kaufmann@btlaw.com

**ATTORNEYS FOR PLAINTIFF
LANCIUM LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing on January 12, 2024, via the Court's CM/ECF system.

/s/ Mark C. Nelson

Mark C. Nelson